

**REMARKS**

Reconsideration of this application is respectfully requested in view of the foregoing amendments to claims and the following remarks.

Claims 1 and 5 have been objected to; the Examiner suggests that the term "box-shaped" be used in place of "box-like". This suggestion has been adopted.

Claims 1 and 3 have been rejected under 35 U.S.C. § 102(b) as anticipated by Inoue et al. (U.S. Patent No. 4,752,254). Claim 1 has been amended to recite the detent structures on the ends of the second arm, a feature which the Examiner concedes is not found in Inoue et al. Accordingly, the rejection based on 35 U.S.C. § 102(b) has been overcome.

Claims 2 and 4 were rejected under 35 U.S.C. § 103(a) as obvious from the combination of Inoue et al. and Urushibata et al. (U.S. Patent No. 4,945,192). Although claim 2 has been canceled, the subject matter of claim 2 has been inserted into claim 1. Accordingly, Applicant will answer this rejection as if it had applied to claim 1.

The Examiner concedes that Inoue et al. does not disclose the detent portions on the distal ends of the second arm. The Examiner states that Urushibata et al., however, discloses detent portions at reference numeral III. The Examiner argues that it would have been obvious to a person skilled in the art at the time this invention was made to include the detents of Urushibata et al. on the Inoue et al. terminals "in order to crimp the second pair of arms against the first pair of arms".

Applicant respectfully disagrees with the Examiner's 35 U.S.C. § 103 analysis. The structure identified by reference numeral 3 in the Urushibata et al. patent is not a "detent" as that term is clearly and correctly used in Applicant's disclosure and claims. A "detent" is a structure or mechanism in which a body is spring-biased into a depression to perform a locking function. In this case, the detent is shown in Fig. 3 and described in the specification as the structure which is spring-biased into the slot 16 in the circuitboard to effectively lock the terminal 10 in the connected position. The structure 3 of Urushibata et al. performs no such function. Indeed, as the Examiner appears to appreciate, the structure 3 of Urushibata et al. is present for the purpose of bending or crimping around the lower terminal portions 2'. Nothing is crimped or bent in the use or application of Applicant's invention.

With this clear difference in purpose, the accuracy of the Examiner's suggestion that it would have been obvious to use Urushibata et al.'s "detent" in the Inoue et al. terminal is incorrect. Inoue et al., like Applicant, uses a spring contact 115 to wedge the circuit board into the slot 120; there is no need to crimp the upper

arms to the lower arms as the Examiner has suggested. What is completely missing from both Inoue et al. and Urishibata et al. is the concept of depending lobes which drop into a slot in the circuit board. Only by the impermissible use of hindsight would it be obvious to provide this feature in Inoue et al.; there is no disclosure in Urishibata et al. to make this substitution. The suggestion or motivation for combining references must come from the references themselves; ACS Hospital Systems v. Montfiore Hospital, 221 U.S.P.Q. 929 (CAFC 1984). It is improper to rebuild a reference in the light of Applicant's disclosure in order for the reference to operate in a manner not intended or contemplated by the prior inventor; see Ex Parte Garrett, 132 U.S.P.Q. 514 (USPTO Bd of Appeals 1961). The rejection of claims 1 and 4 under 35 U.S.C. § 103(a) is, therefore, respectfully traversed.

Claims 5, 7, and 8 were rejected under 35 U.S.C. § 103(a) as unpatentable over Inoue et al. in view of Bare (U.S. Patent No. 4,401,356). However, claim 5 has been amended to recite the detent portions, a feature which is not disclosed in either Inoue et al. or Bare. Accordingly, the combination of references used to reject claims 5, 7 and 8 is no longer adequate. It must be supplemented to include Urishibata et al. However, as argued above, the Urishibata et al. reference does not disclose detent, rather it discloses crimping tabs which do not perform an equivalent function and would not suggest to anyone skilled in the art that it would be possible or obvious to perform the function represented in Figs. 2 and 3 of Applicant's drawings. Reconsideration of claims 5, 7, and 8 is therefore requested.

Claim 6 has been rejected under Inoue et al. in combination with both Bare and Urishibata et al. Claim 6 has been cancelled, but the subject matter thereof has been incorporated into claim 5. Accordingly, the rejection will be treated as if it had applied to claim 5.

The explanation of the rejection of claim 6 appears to reflect the erroneous assumption that a "crimping" function is carried on somewhere in Applicant's invention. Apart from the terminal structures shown at 36 and 38, there is no crimping function involved in Applicant's invention. Indeed the box-shaped terminal portion 10 simply slides onto the edge of the circuitboard 12 with the upper arms 28 and 30 flexing resiliently upwardly enough to allow the detent lobes 32 and 34 to snap into the slot 16. There is nothing like this in any of the prior art references, and it is not a crimping function. Applicant sees no relevance to the Examiner's statement that "... it would have been obvious to one skilled artisan at the time the invention was made to include the teaching of Urishibata in the Inoue invention in order to crimp the second pair of arms into the slot of the circuitboard ..." There is

no crimping function involved in Applicant's invention, and the Examiner's statement is simply not relevant.

Claims 1, 3 and 4 have also been rejected under 35 U.S.C. § 103(b) as anticipated by Jinno et al. (U.S. Patent No. 5,238,411). However, as argued above, claim 1 has been amended to recite the detent structures which are completely missing in the Jinno et al. patent. Accordingly, the rejection of claims 1, 3, and 4 under 35 U.S.C. § 103(b) has been overcome.

Claim 2 was rejected under Jinno et al. in view of Urishibata et al., the Examiner again argued that it would be obvious to include the structure 3 of Urishibata et al. in the Jinno et al. terminal "... in order to crimp the second pair of arms against the second pair of arms." Once again, there is no crimping function occurring in the use of Applicant's invention and the Examiner's statement with respect to the obviousness of incorporating a crimping function into Jinno et al. is not relevant. Neither Jinno et al. nor Urushibata et al. discloses a detent; a structure which is permanently deformed by bending (crimping) is not the same as a structure which is intended to drop into a slot to perform a locking function. The rejection appears to misconstrue the invention and the language of the claims and reconsideration is requested.

Claims 5 and 7 and 8 were rejected under 35 U.S.C. § 103 as unpatentable over Jinno et al. in view of Bare. Claim 5, however, has been amended to recite the detent structure, a structure which is missing in both the Jinno et al. and Bare patents.

Claim 6 has been rejected under 35 U.S.C. § 103(a) as unpatentable over Jinno et al. and Bare and further in view of Urishibata et al. Claim 6 has been cancelled but the subject matter of claim 6 has been incorporated into claim 5. Accordingly, Applicant will treat this rejection as if it had been applied to claim 5.

As argued above, Urishibata et al. does not disclose a detent portion; rather, it discloses crimping tabs which are permanently bent and wrapped around another structure. No comparable structure or function is incorporated into Applicant's invention and the prior art does not make such a structure or function obvious. Reconsideration is respectfully requested.

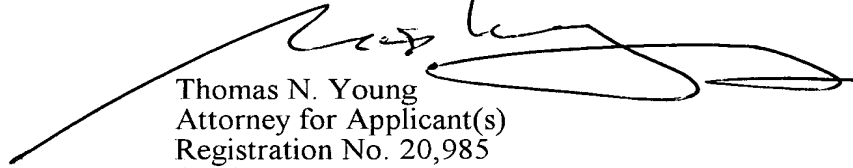
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Applicant believes that, with the entry of the amendments made herein, this application has been placed in condition for allowance and notification of same is respectfully requested.

Respectfully submitted,

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